

## **SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING**

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AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301-1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

#### **Subpart 1305.2—Synopsis of Proposed Contract Actions**

##### **1305.202 Exceptions.**

The designee authorized to decide, in writing, that advance notice through the GPE (Governmentwide Point of Entry) is not appropriate or reasonable is set forth in CAM 1301.70.

#### **Subpart 1305.4—Release of Information**

##### **1305.403 Requests from Members of Congress.**

Requests from Members of Congress shall be handled in accordance with the policies and procedures outlined in DAO 218-2.

##### **1305.404 Release of long-range acquisition estimates.**

##### **1305.404-1 Release procedures.**

The designee authorized to release long-range acquisition estimates is set forth in CAM 1301.70.

### **Subpart 1305.5—Paid Advertisements**

#### **1305.502 Authority.**

The designee authorized to provide authorization for publication of paid advertisements in newspapers is set forth in CAM 1301.70. The contracting officer shall obtain written authorization from the designee.

### **PART 1306—COMPETITION REQUIREMENTS**

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AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301-1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

#### **Subpart 1306.2—Full and Open Competition After Exclusion of Sources**

##### **1306.202 Establishing or maintaining alternative sources.**

The authority to exclude a source from a contract action in order to establish or maintain an alternate source is set forth in CAM 1301.70

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### Subpart 1306.3—Other Than Full and Open Competition

#### 1306.302 Circumstances permitting other than full and open competition.

#### 1306.302-5 Authorized or required by statute.

In accordance with Executive Order 13457, a sole source acquisition may not be justified on the basis of any earmark included in any non-statutory source, except when otherwise required by law or when an earmark meets the criteria for funding set out in Executive Order 13457.

#### 1306.303 Justifications.

#### 1306.303-70 Documentation and legal review of justifications.

The justification for providing for other than full and open competition in accordance with FAR 6.303-2 shall be provided on Form CD-492, *Justification for Other than Full and Open Competition*. If the estimated value of the procurement is over legal review thresholds, concurrence by the Procurement Counsel is required.

#### 1306.304 Approval of the justification.

The designee authorized to approve justifications for other than full and open competition at the dollar thresholds in FAR 6.304 is set forth in CAM 1301.70.

### Subpart 1306.5—Competition Advocates

#### 1306.501 Requirement.

The designee authorized to designate a Competition Advocate for the Department and each procuring activity is set forth in CAM 1301.70.

## PART 1307—ACQUISITION PLANNING

### Subpart 1307.1—Acquisition Plans

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1307.102 Policy.

1307.103 Agency head responsibilities.

1307.105 Contents of written acquisition plans.

### Subpart 1307.3—Contractor versus Government Performance

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### Subpart 1307.5—Inherently Governmental Functions

1307.503 Policy.

AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301-1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

### Subpart 1307.1—Acquisition Plans

#### 1307.102 Policy.

In accordance with FAR 7.102, it is the Department's policy to perform acquisition planning and conduct market research in order to promote the acquisition of commercial items and provide for full and open competition.

#### 1307.103 Agency-head responsibilities.

The designee authorized as responsible for compliance with FAR 7.103 is set forth in CAM 1301.70.

#### 1307.105 Contents of written acquisition plans.

Information on the contents of Acquisition Plans is set forth in CAM 1307.1

### Subpart 1307.3—Contractor versus Government Performance

#### 1307.302 Policy.

The Department's competitive sourcing policy and procedures are set forth in CAM 1307.370.

### Subpart 1307.5—Inherently Governmental Functions

#### 1307.503 Policy.

All procurement request packages submitted by program offices to initiate a procurement action for services shall contain a written determination by the designated requirements official that affirms that none of the functions to be performed in the statement of work are inherently governmental. This policy applies to all services other than personal services issued under statutory authority. If the contracting